02-06-08

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2137/

PTO/SB/21 (01-08) Approved for use through 02/29/2008. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Inder the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 08/999.766 Filing Date TRANSMITTAL July 23, 1997 First Named Inventor **FORM** Scott A. MOSKOWITZ et al. Art Unit 2137 **Examiner Name** Paul E. CALLAHAN (to be used for all correspondence after initial filing) Attorney Docket Number 80410.0009 Total Number of Pages in This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Fee Transmittal Form Drawing(s) Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) Amendment/Reply Petition to Convert to a Proprietary Information After Final Provisional Application Power of Attorney, Revocation Status Letter Change of Correspondence Address Affidavits/declaration(s) Other Enclosure(s) (please Identify Terminal Disclaimer **Extension of Time Request** Request for Refund **Express Abandonment Request** CD, Number of CD(s)\_ Information Disclosure Statement Landscape Table on CD Certified Copy of Priority Remarks Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name Signature oft moleon Printed name Scott A. MOSKOWITZ Date Reg. No. February 4, 2008 **CERTIFICATE OF TRANSMISSION/MAILING** I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature ottmole

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Scott A. MOSKOWITZ

Typed or printed name

Date

February 4, 2008

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Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 481	//	Effective on 12/08/2004.	
, 600 p2:00000 t0 000 000000000 t pp:0p:0p:0000000000	Fees pursuant to the (	Consolidated Appropriations Act, 2005 (H.R.	4818)

# FEE TRANSMITTAL For FY 2008

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT

• •	
5)	180.00

Complete if Known				
Application Number	08/999,766			
Filing Date	July 23, 1997			
First Named Inventor	Scott A. MOSKOWITZ et al.			
Examiner Name	Paul E. CALLAHAN			
Art Unit	2137			
Attorney Docket No.	80410.0009			

METHOD OF PAYMENT (check all that apply)							
Check ✓ Credit Card  Money Order  Other (please identify):							
Deposit Account Deposit Account Number: Deposit Account Name:							
For the above-identif				•	_		
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Charge fee(s)					je fee(s) indic	ated below, exc	cept for the filing fee
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<b>WARNING: Information on this</b>	form may be	ecome public. Credit	t card inform	nation should n	ot be included	on this form. Pr	ovide credit card
Information and authorization	on PTO-2038						
FEE CALCULATION	·						
1. BASIC FILING, SEAR							
	FILING	トヒヒS Small Entity	SEARCH	H FEES Small Entity		TION FEES	
Application Type	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fee (\$)	Fees Paid (\$)
Utility	310	155	510	255	210	105	
Design	210	105	100	50	130	65	
Plant	210	105	310	155	160	80	
Reissue	310	155	510	255	620	310	
Provisional	210	105	0	0	0	0	
2. EXCESS CLAIM FEE	2. EXCESS CLAIM FEES Small Entity						
Fee Description						Fee (\$)	Fee (\$)
Each claim over 20 (i						50	25
Each independent claim over 3 (including Reissues) 210 105							
Multiple dependent claims 370 185  Total Claims Extra Claims Fee (\$) Fee Paid (\$) Multiple Dependent Claims							
Total Claims	Extra Clair	<u>ms Fee (\$)</u> x	Fee Pa	31G (2)		Fee (\$)	Fee Paid (\$)
HP = highest number of total						Lee (a)	ree raid (3)
Indep. Claims	Extra Clair	-	Fee Pa	<u>iid (\$)</u>			
3 or HP =		x	. =				
HP = highest number of indep		s paid for, if greater th	ian 3.				
3. APPLICATION SIZE I		exceed 100 sheet	s of nanei	· (evoluding (	electronicall	v filed seguer	ace or computer
If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$260 (\$130 for small entity) for each additional 50							
sheets or fraction th		35 U.S.C. 41(a)	(1)(G) and	d 37 CFR 1.1	16(s).	• •	
<u>Total Sheets</u>	Extra Shee	<u>ets</u> <u>Numbé</u> /50 =	r of each a	<u>idditional 50 c</u>	or fraction the	<u>ereof</u> <u>Fee (</u> r) x	(\$) <u>Fee Paid (\$)</u>
4. OTHER FEE(S)				-		-	Fees Paid (\$)
Non-English Specific	ation, \$1	30 fee (no small	entity dis	count)			rees raid (9)
Other (e.g., late filing	g surcharge	;): <u>IDS</u>					\$180.00

SUBMITTED BY Registration No. Telephone 305 956 9041 Signature Date February 4, 2008 Name (Print/Type) Scott A. MOSKOWITZ

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.** 

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

# FEB 0 5 2008 BY

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.

08/999,766

Confirmation No. 4344

Applicant

Scott MOSKOWITZ et al.

Filed

July 23, 1997

TC/A.U.

2137

Examiner

Paul E. CALLAHAN

Docket No.

80410.0009

**MAIL STOP: AMENDMENT - IDS** 

**Commissioner for Patents** 

P.O. Box 1450

Alexandria, VA 22313-1450

02/06/2008 EHAILE1 00000006 08999766 U1 FC:1806

180.00 OP

#### **INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Applicant(s) submit copies of the references listed on the attached SB08 Form(s) for consideration and request that the U.S. Patent and Trademark Office make them of record in this application.

Applicant(s) state the following:

		Each	item	of	information	contained	in	this	Information	Disclosure
State	ment v	was cite	d in a	cor	mmunication	from a fore	ign	pater	nt office in a	counterpart
foreig	n app	lication	not m	ore	than three	months prio	r to	the	filing of the	Information
Disclo	sure S	Stateme	nt; or							
		No ite	m of ir	nfori	mation conta	ined in this	Info	rmatí	on Disclosure	e Statement

was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of Applicant(s) no item of information contained in this

Information Disclosure Statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement.

In accordance with 37 C.F.R. § 1.97(b), this Information Disclosure Statement is believed to be submitted prior to issuance of a first Office Action and/or within three months of the filing date of the application. It is respectfully submitted that no fee is required for consideration of this information.

This Information Disclosure Statement is being submitted after the mailing of a non-final Office Action, but is believed to be prior to a final Office Action or a Notice of Allowance. Pursuant to 37 C.F.R. § 1.97(c), payment in the amount of \$180.00 as set forth in 37 C.F.R. § 1.17(p) is enclosed.

While the information and references disclosed in this Information Disclosure Statement are submitted pursuant to 37 C.F.R. § 1.56, this submission is not intended to constitute an admission that any patent, publication or other information referred to is "prior art" to this invention. Applicant(s) reserve the right to contest the "prior art" status of any information submitted or asserted against the application.

Additionally, pursuant to C.F.R. § 1.78, Applicant(s) wish to inform the Examiner of the existence of the following co-pending U.S. patents and patent applications that share a common inventor with the present application. Under 37 C.F.R. § 1.98(a)(1), Applicant(s) also wish to inform the Examiner of the existence of the following co-pending foreign patents and patent applications that share a common inventor with the present application in the "section separate from the citations of other documents" entitled "Foreign Patent Documents", below:

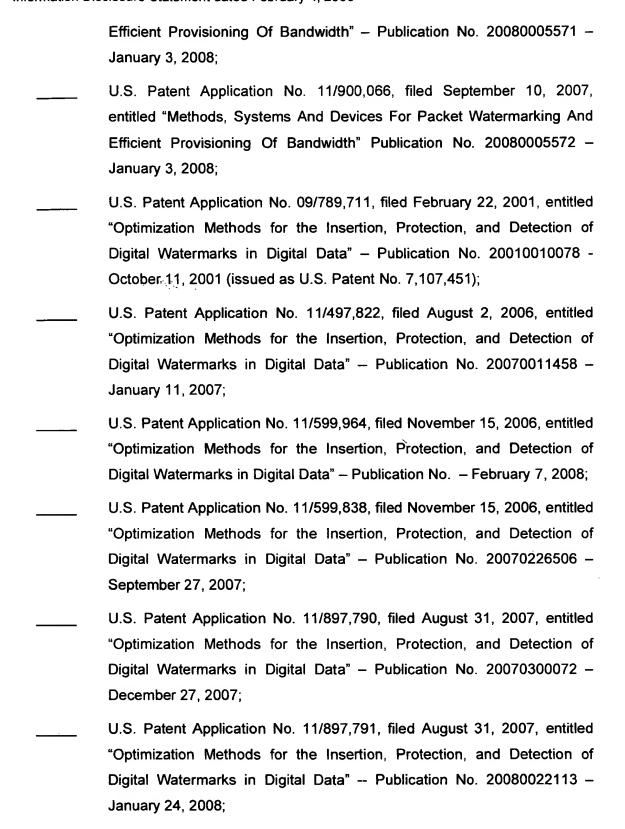
# **U.S. PATENT DOCUMENTS**

EXAMINER'S INITIALS:	
	U.S. Patent Application No. 08/999,766, filed July 23, 1997, entitled "Steganographic Method and Device";
<del></del>	U.S. Patent Application No. 11/894,443, filed August 21, 2007, entitled "Steganographic Method and Device" – Projected Publication Date – March 27, 2008;
	U.S. Patent Application No. 11/894,476, filed August 21, 2007, entitled "Steganographic Method and Device" – Publication No. 20070294536 – December 20, 2007;
	U.S. Patent Application No. 11/050,779, filed February 7, 2005, entitled "Steganographic Method and Device" — Publication No. 20050177727 — August 11, 2005;
	U.S. Patent Application No. 08/674,726, filed July 2, 1996, entitled "Exchange Mechanisms for Digital Information Packages with Bandwidth Securitization, Multichannel Digital Watermarks, and Key Management" (unpublished – issue fee paid – January 23, 2008); — Attached herein
	U.S. Patent Application No. TBD, filed January 23, 2008, entitled "Exchange Mechanisms for Digital Information Packages with Bandwidth Securitization, Multichannel Digital Watermarks, and Key Management";
	U.S. Patent Application No. 09/545,589, filed April 7, 2000, entitled "Method and System for Digital Watermarking" (issued as U.S. Patent No. 7,007,166);
	U.S. Patent Application No. 11/244,213, filed October 5, 2005, entitled "Method and System for Digital Watermarking" — Publication No. 20060101269 — May 11, 2006 (issue fee paid — December 26, 2007;
	U.S. Patent Application No. 11/649,026, filed January 3, 2007, entitled "Method and System for Digital Watermarking" — Publication No. 20070113094 — May 17, 2007;

Appl. No. 08/999,766

EXAMINER: Please initial if reference is considered, whether or not the citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Please include copy of this form with next communication to the applicant.

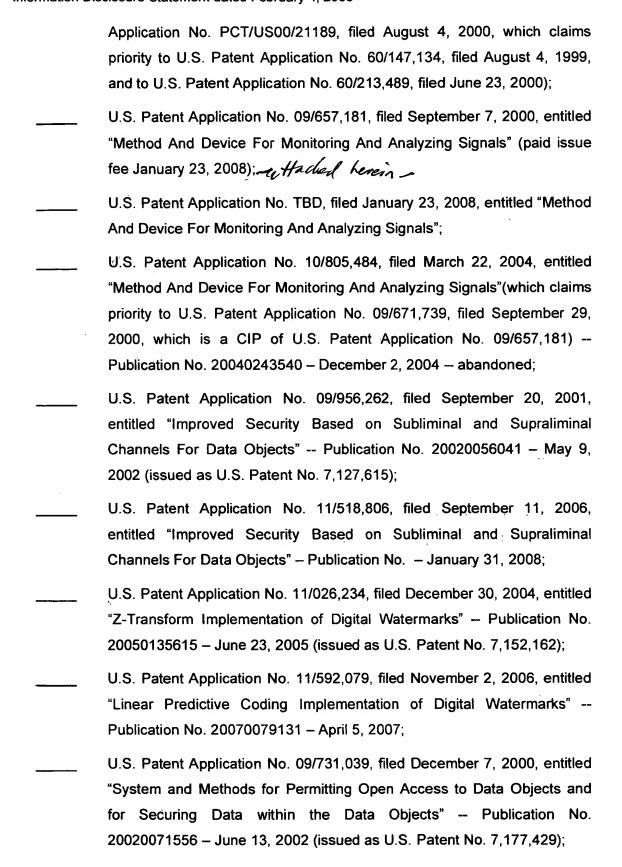
entitled "Methods, Systems And Devices For Packet Watermarking And



Appl. No. 08/999,766

EXAMINER: Please initial if reference is considered, whether or not the citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Please include copy of this form with next communication to the applicant.

"A Secure Personal Content Server" (which claims priority to International



Implementation of Digital Watermarks"; U.S. Patent No. 6.205,249, issued March 20, 2001, entitled "Multiple Transform Utilization and Application for Secure Digital Watermarking"; U.S. Patent No. 6,522,767, issued February 18, 2003, entitled "Optimization Methods for the Insertion, Protection, and Detection of Digital Watermarks in Digitized Data";

Appl. No. 08/999,766

EXAMINER: Please initial if reference is considered, whether or not the citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Please include copy of this form with next communication to the applicant.

Provisioning Of Bandwidth"

# **FOREIGN PATENT DOCUMENTS**

EXAMINER INITIALS:	₹'S
	PCT Application No. PCT/US95/08159, filed June 26, 1995, entitled, "Digital Information Commodities Exchange with Virtual Menuing";
<u> </u>	PCT Application No. PCT/US96/10257, filed June 7, 1996, entitled, "Steganographic Method and Device" – corresponding to – EPO Application No. 96919405.9, entitled "Steganographic Method and Device";
	PCT Application No. PCT/US97/00651, filed January 16, 1997, entitled, "Method for Stega-Cipher Protection of Computer Code" – corresponding to AU199718294A (not available);
	PCT Application No. PCT/US97/00652, filed January 17, 1997, entitled, "Method for an Encrypted Digital Watermark" – corresponding to AU199718295A (not available);
	PCT Application No. PCT/US97/11455, filed July 2, 1997, entitled, "Optimization Methods for the Insertion, Protection and Detection of Digital Watermarks in Digitized Data" – corresponding to AU199735881A (not available);
	PCT Application No. PCT/US99/07262, filed April 2, 1999, entitled, "Multiple Transform Utilization and Applications for Secure Digital Watermarking" – corresponding to – Japan App. No. 2000-542907, entitled "Multiple Transform Utilization and Application for Secure Digital Watermarking";
	PCT Application No. PCT/US00/06522, filed March 14, 2000, entitled, "Utilizing Data Reduction in Steganographic and Cryptographic Systems":

Method and Device" - cited above - previously provided)

Appl. No. 08/999,766 Information Disclosure Statement dated February 4, 2008

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists. This Information Disclosure Statement is in compliance with 37 C.F.R. § 1.98 and the Examiner is respectfully requested to consider the listed documents and information.

Respectfully submitted,

Date: February 4, 2008

By:

Scott A. Moskowitz Tel# (305) 956-9041 Fax# (305) 956-9042

For Wistaria Trading, Inc.

Scott A. Moskowitz

President